

# Exhibit 6

(To the October 26, 2021 Declaration of  
Margaret A. Dale)

**Dalsen, William D.**

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**From:** Alonzo, Julia D.  
**Sent:** Friday, October 8, 2021 4:58 PM  
**To:** Jennings, Taleah; Dale, Margaret A.; Mervis, Michael T.; Stafford, Laura  
**Cc:** Arturo J. Garcia-Sota; Nayuan Zouairabani; Lizzie M. Portela Fernández; Douglas Koff; Mott, Thomas L.; Douglas S. Mintz  
**Subject:** RE: FOMB 30(b)(6)  
**Attachments:** Stipulation re FOMB 30(b)(6) Witness (Draft of 10.8.21) (Proskauer).DOCX

Taleah –

Attached please find our edits to the stipulation. EY is not going to sign onto the stipulation but they have represented that they will accept the subpoena and provide the witness. And the Oversight Board will adopt the witness's for purposes of the Rule. We revised the stipulation accordingly.

Let me know if you would like to discuss. Thanks.

Julia

**Julia D. Alonzo**

Senior Counsel  
(she/her/hers)

[Proskauer](#)

Eleven Times Square  
New York, NY 10036-8299  
d 212.969.4558  
f 212.969.2900  
[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)

greenspaces

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**From:** Jennings, Taleah <Taleah.Jennings@srz.com>  
**Sent:** Friday, October 8, 2021 8:47 AM  
**To:** Dale, Margaret A. <mdale@proskauer.com>; Mervis, Michael T. <MMervis@proskauer.com>; Alonzo, Julia D. <jalonzo@proskauer.com>; Stafford, Laura <lstafford@proskauer.com>  
**Cc:** Arturo J. Garcia-Sota <ajg@mcvpr.com>; Nayuan Zouairabani <nzt@mcvpr.com>; Lizzie M. Portela Fernández <Lpf@mcvpr.com>; Douglas Koff <douglas.koff@srz.com>; Mott, Thomas L. <Thomas.Mott@srz.com>; Douglas S. Mintz <douglas.mintz@srz.com>  
**Subject:** FOMB 30(b)(6)

***This email originated from outside the Firm.***

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Margaret:

Attached is a stipulation setting forth the terms we discussed. We would like to get this finalized and signed today, so we can then issue the subpoena to EY.

Thanks for your help getting this done.

Taleah.

**Taleah E. Jennings**

Partner

212.756.2454

[taleah.jennings@srz.com](mailto:taleah.jennings@srz.com)

my pronouns: she/her/hers

919 Third Avenue, New York, NY 10022

212.756.2000 | 212.593.5955 fax

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Schulte Roth & Zabel LLP  
New York | Washington DC | London  
[www.srz.com](http://www.srz.com)

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**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,  
Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS  
(Jointly Administered)

**STIPULATION**

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of debtors the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA,” and collectively with the Commonwealth and ERS, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”)<sup>2</sup>, the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF” and, together with the Oversight Board, the “Government Parties”), AmeriNational Community Services, LLC (the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, which serves as the collateral monitor for Wilmington Trust, N.A. in connection with the new

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801).

<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

bonds issued by the DRA<sup>3</sup> (the “Collateral Monitor,” and together with the Servicer, collectively, the “DRA Parties,” ~~and ), and Ernst and Young Global Limited (“Ernst & Young,” and~~ jointly with ~~DRA Parties and~~ the Government Parties, the “Parties”), stipulate and agree as follows:

### RECITALS

WHEREAS, on August 2, 2021, the Court entered its *Order Establishing Procedures and Deadlines Concerning Objection to Confirmation and Discovery in Connection Therewith* [Dkt. No. 17640] (the “Confirmation Procedures Order”),<sup>4</sup> which provides for, among other things, discovery and depositions related to the *Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.* [Dkt. No. 17627], as may be amended (the “Plan”);

WHEREAS, on September 13, 2021, the DRA Parties served notice of a Rule 30(b)(6) deposition of the Oversight Board (the “Deposition Notice”);

WHEREAS, on October 3, 2021, the Oversight Board served responses and objections to the Deposition Notice (the “Responses and Objections”), in which the Oversight Board objected to the Topic Nos. 1, 5, and 6 of the Deposition Notice;

WHEREAS, on October 3, 2021, the Oversight Board asserted that a certain individual (the “EY Representative”) employed by Ernst & Young Global Limited (“Ernst & Young”) (~~“EY Representative”~~) would be best situated to answer questions related to ~~the~~ Topics 2 through 6 as set forth in the Deposition Notice, but that ~~to allow the Oversight Board to designate the EY Representative as the Rule 30(b)(6) witness of the Oversight Board,~~ Ernst & Young required that

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<sup>3</sup> The DRA bonds were issued pursuant to the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017, as amended by Act No. 147-2018.

<sup>4</sup> The Confirmation Procedures Order was subsequently amended on October 5, 2021. See Amended Order Establishing Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith [ECF No. 18394] (the “Amended Confirmation Procedures Order”).

the DRA Parties serve a subpoena on Ernst & Young and the Oversight Board would then adopt the EY Representative's testimony as that of the Oversight Board for purposes of Rule 30(b)(6) and in satisfaction of the Deposition Notice;

WHEREAS, on October 5, 2021, the Oversight Board withdrew its objections to Topic Nos. 5 and 6 of the Deposition Notice, while maintaining its objection with respect to the Topic No. 1 of the Deposition Notice.

WHEREAS, the DRA Parties and Oversight Board met and conferred on multiple occasions regarding the Deposition Notice and whether the DRA Parties would serve ~~serving~~ a subpoena on Ernst & Young ~~was appropriate and/or necessary;~~

AND WHEREAS, the DRA Parties agreed to serve a subpoena on Ernst & Young in connection with the Rule 30(b)(6) deposition of the Oversight Board (the "Subpoena"), but only if each of the provisions herein are agreed to in writing by the Parties.

#### **AGREEMENT**

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. The Subpoena will include identical Topics 1 through 6 as set forth in the Deposition Notice, and will not include any additional topics for examination. ~~The Oversight Board has designated the EY Representative as its Rule 30(b)(6) witness.~~

2. The EY Representative will sit for the Rule 30(b)(6) deposition on or before October 18, 2021.

2.3. The Oversight Board will adopt all testimony provided by ~~has designated the EY Representative as~~ that of the Oversight Board for purposes of its Rule 30(b)(6) witness.

3.4. The DRA Parties' service of the Subpoena on Ernst & Young shall have no effect on the Oversight Board's adoption of designation of the EY Representative's testimony as that of

~~the Oversight Board for purposes of as its~~ Rule 30(b)(6)-~~witness~~, including but not limited to ~~with~~  
~~respect to the Rule 30(b)(6)-witness's testimony being on behalf of the Oversight Board, with the~~  
Oversight Board's agreement to be fully bound by ~~such~~ the EY Representative's testimony as set  
forth by Rule 30(b)(6).

4.5. Additionally, the Oversight Board shall be responsible for preparing the EY  
Representative for the deposition in accordance with Rule 30(b)(6), including but not limited to  
with respect to each of the topics set forth in the Deposition Notice except for Topic No. 1.

~~5. Any objections of Ernst & Young concerning the Deposition Notice or the  
Subpoena shall not exceed the Oversight Board's current position with respect to the Deposition  
Notice. Specifically, Ernst & Young shall not object to any topics contained in the Deposition  
Notice except for with respect to Topic No. 1 of the Deposition Notice. Further, should the  
Oversight Board withdraw its objections to Topic No. 1 of the Deposition Notice, so shall Ernst &  
Young.~~

6. ~~Only~~ One attorney appearing on behalf of Ernst & Young and one attorney  
appearing on behalf of the Oversight Board shall ~~be permitted to~~ defend the deposition of the EY  
Representative, and ~~only that those~~ attorneys may object to the DRA Parties' questions, absent  
privilege issues that require ~~an~~ additional attorneys's involvement.

7. The Parties do not waive any rights other than those specifically identified above.

Dated: October \_\_, 2021.  
San Juan, Puerto Rico

/s/ Hermann D. Bauer

Hermann D. Bauer  
USDC No. 215205  
**O'NEILL & BORGES LLC**  
250 Muñoz Rivera Ave., Suite 800  
San Juan, PR 00918-1813  
Tel: (787) 764-8181  
Fax: (787) 753-8944

/s/ Michael A. Firestein

Martin J. Bienenstock  
Brian S. Rosen  
[Jeffrey Levitan](#)  
[Ehud Barak](#) [Margaret A. Dale](#)  
[Julia D. Alonzo](#)  
Admitted *Pro Hac Vice*  
**PROSKAUER ROSE LLP**  
Eleven Times Square  
New York, NY 10036  
Tel: (212) 969-3000  
Fax: (212) 969-2900

Michael A. Firestein  
Lary Alan Rappaport  
Admitted *Pro Hac Vice*  
2029 Century Park East  
Suite 2400  
Los Angeles, CA 90067-3010  
Tel: (310) 557-2900  
Fax: (310) 557-2193  
Email: mfirestein@proskauer.com  
lrappaport@proskauer.com

*Attorneys for the Financial Oversight and  
Management Board as representative for the  
Debtors*

/s/ Peter Friedman

John J. Rapisardi  
(Admitted *Pro Hac Vice*)  
**O'MELVENY & MYERS LLP**  
7 Times Square  
New York, NY 10036  
Tel: (212) 326-2000  
Fax: (212) 326-2061

Peter Friedman  
(Admitted *Pro Hac Vice*)  
1625 Eye Street, NW  
Washington, DC 20006  
Tel: (202) 383-5300  
Fax: (202) 383-5414

Elizabeth L. McKeen  
Ashley M. Pavel  
(Admitted *Pro Hac Vice*)  
610 Newport Center Drive, 17th Floor  
Newport Beach, California 92660  
Tel: (949) 823-6900  
Fax: (949) 823-6994

***Attorneys for the Puerto Rico Fiscal Agency  
and Financial Advisory Authority***

/s/ Luis C. Marini-Biaggi

Luis C. Marini-Biaggi  
USDC No. 222301  
Email: lmarini@mpmlawpr.com  
Carolina Velaz-Rivero  
USDC No. 300913  
Email: cvelaz@mpmlawpr.com  
**MARINI PIETRANTONI MUÑIZ LLC**  
250 Ponce de León Ave.  
Suite 900  
San Juan, Puerto Rico 00918  
Tel: (787) 705-2171  
Fax: (787) 936-7494

***Co-Attorneys for the Puerto Rico Fiscal  
Agency and Financial Advisory Authority***

**MCCONNELL VALDÉS LLC**

270 Muñoz Rivera Avenue, Suite 7  
Hato Rey, Puerto Rico 00918  
PO Box 364225  
San Juan, Puerto Rico 00936-4225  
Telephone: 787-250-5632  
Facsimile: 787-759-9225

By: /s/Arturo J. García-Solá  
Arturo J. García-Solá  
USDC No. 201903  
Email: ajg@mcvpr.com

By: /s/Alejandro J. Cepeda-Diaz  
Alejandro J. Cepeda-Diaz  
USDC No. 222110  
Email: ajc@mcvpr.com

By: /s/Nayuan Zouairabani  
Nayuan Zouairabani  
USDC No. 226411  
Email: nzt@mcvpr.com

***Attorneys for AmeriNational Community  
Services, LLC as servicer for the GDB Debt  
Recovery Authority***

**C. CONDE & ASSOC. LAW OFFICES**

By: /s/ Carmen D. Conde Torres  
Carmen D. Conde Torres  
(USDC No. 207312)  
/s/ Luisa S. Valle Castro  
Luisa S. Valle Castro  
(USDC No. 215611)  
254 San José Street, Suite 5  
San Juan, PR 00901-1523  
Tel. 787-729-2900  
Fax. 787-729-2203  
E-Mail: condecarmen@condelaw.com

**SCHULTE ROTH & ZABEL LLP**

By: /s/ Douglas S. Mintz  
Douglas S. Mintz (admitted *pro hac vice*)  
901 Fifteenth Street, NW, Suite 800  
Washington, D.C. 20005  
Telephone: (202) 729-7470  
Facsimile: (202) 730-4520  
E-mail: dmintz@orrick.com

-and-

Douglas Koff (admitted *pro hac vice*)  
Abbey Walsh (admitted *pro hac vice*)  
Peter J. Amend (admitted *pro hac vice*)  
919 Third Avenue  
New York, N.Y. 10022  
Tel: 212-756-2000  
Fax: 212-593-5955  
E-mail: douglas.koff@srz.com  
abbey.walsh@srz.com  
peter.amend@srz.com

***Attorneys for Cantor-Katz Collateral  
Monitor LLC, as Collateral Monitor for  
GDB Debt Recovery Authority***

| ~~SIGNATURE OF ERNST AND YOUNG~~